

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



REGION II

EMERGENCY AND REMEDIAL RESPONSE DIVISION, 19th FLOOR

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

NOV 14 1995

EXPRESS MAIL

RETURN RECEIPT REQUESTED

Mr. David J. D'Antoni, President  
Ashland Chemical Company  
P.O. Box 2219  
Columbus, OH 43216

Re: Second Request for Information Under 42 U.S.C. §9601 et seq.  
Diamond Alkali Superfund Site, Operable Unit 2

Dear Mr. D'Antoni:

The United States Environmental Protection Agency (EPA) has reviewed your February 20, 1995 responses to our "Request for Information" letter. EPA requests that you answer the questions in the attached sheet and include documentation substantiating your response. Please note that all the statutory provisions and instructions in EPA's prior "Request for Information" letters are applicable to the information requested in this letter.

Pursuant to these statutory provisions, EPA hereby requires that you provide the information requested in Attachment A of this letter, as well as documents supporting your responses, and include the "Certification of Answers to Request for Information," with your notarized signature.

In preparing your response to this "Request for Information," please follow the instructions provided in Attachment B.

Your response to this "Request for Information" should be postmarked or received by EPA within thirty (30) calendar days of your receipt of this letter. Your response should be mailed to:

Mr. Lance R. Richman, P.G.  
Emergency and Remedial Response Division  
U.S. Environmental Protection Agency  
290 Broadway, 19th Floor  
New York, New York 10007-1866

with a copy to Ms. Amelia Wagner, Assistant Regional Counsel,  
Office of Regional Counsel, 17th Floor at the same address.

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Your failure to respond to this "Request for Information" within the time specified above may subject you to an enforcement action under Section 104(e)(5) of CERCLA, 42 U.S.C. §9604(e)(5), and/or Section 3008 of RCRA, 42 U.S.C. §6928. An enforcement action may include the assessment of penalties of up to \$25,000 for each day of continued noncompliance.

Be advised that you are under a continuing obligation to supplement your response if information not known or not available to you as of the date of submission of your response should later become known or available. If at any time in the future you obtain or become aware of additional information and/or find that any portion of the submitted information is false, misleading or misrepresents the truth, you must promptly notify EPA. If any part of your response is found to be untrue, you may be subject to criminal prosecution.

If desired, you may assert a business confidentiality claim covering all or part of the information requested by this letter. The claim must be supported by each of the four factors specified in Section 104(e)(7)(E) of CERCLA, 42 U.S.C. §9604(e)(7)(E), and must be asserted at the time of submission, by placing on (or attaching to) the information a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret" or "proprietary" or "company confidential." Information covered by such a claim will be disclosed by EPA only to the extent and by means of procedures set forth in Title 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

If you have any questions concerning this "Request for Information," please contact Mr. Richman, of my staff, at (212) 637-4409 or Ms. Wagner at (212) 637-3141. Inquiries from attorneys should be directed to Ms. Wagner.

Sincerely yours,

Kathleen C. Callahan, Director  
Emergency and Remedial Response Division

Attachments

cc: Stephen W. Leermakers, Esq.  
Law Department, Ashland Chemical Company

bcc: A. Wagner, ORC-SUP

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of \_\_\_\_\_:

County of \_\_\_\_\_:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my company is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or the company's response thereto should become known or available to the company.

\_\_\_\_\_  
NAME (print or type)

\_\_\_\_\_  
TITLE (print or type)

\_\_\_\_\_  
SIGNATURE

Sworn to before me this  
day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Notary Public

**ATTACHMENT A**

**REQUEST FOR INFORMATION**

**Background**

The United States Environmental Protection Agency ("EPA") is investigating the release of hazardous substances into the Passaic River. EPA has information indicating that hazardous substances from your 440 Doremus Avenue and 221 Foundry Street facilities located in Newark, New Jersey, may have been discharged into the Passaic River.

Provide the information requested below, including copies of all available documentation that supports your answers.

**400 Doremus Avenue Facility**

1. a. On page 15 of the Ashland Chemicals Product Catalog, provided in response to EPA's 104(e) Request for Information, lead compounds are mentioned as a product. Was this manufactured at the 400 Doremus Avenue Facility?

b. On page 15 of the Ashland Chemicals Product Catalog, provided in response to EPA's 104(e) Request for Information, nickel compounds are mentioned as a product. Was this manufactured at the 400 Doremus Avenue Facility?

c. On page 15 of the Ashland Chemicals Product Catalog, provided in response to EPA's 104(e) Request for Information, arsenic compounds are mentioned as a product. Was this manufactured at the 400 Doremus Avenue Facility?

d. On page 15 of the Ashland Chemicals Product Catalog, provided in response to EPA's 104(e) Request for Information, methyl-ethyl-ketone (MEK) is mentioned as a product. Was this manufactured at the 400 Doremus Avenue Facility?

e. On page 12 of the Ashland Chemicals Product Catalog, provided in response to EPA's 104(e) Request for Information, ethyl benzene is mentioned as a product. Was this manufactured at the 400 Doremus Avenue Facility?

f. On page 12 of the Ashland Chemicals Product Catalog, provided in response to EPA's 104(e) Request for Information, benzene is mentioned as a product. Was this manufactured at the 400 Doremus Avenue Facility?

g. On page 12 of the Ashland Chemicals Product Catalog, provided in response to EPA's 104(e) Request for Information, methylene chloride is mentioned as a product. Was this manufactured at the 400 Doremus Avenue Facility?

2. a. For the manufacture of products that occurred at the 400 Doremus Avenue facility, please provide specific information as to the process of manufacture for those substances identified in your February 20, 1995 response to Question #3 in EPA's initial Request for Information, as well as those additional substances identified in response to Question #1 in this Supplementary Request for Information.

b. Please list the chemical components of the by-products or other waste materials that were generated in the manufacture of these products, with the estimated quantities of these materials.

c. Please describe the method of disposal for each of these materials identified in 4.b. above.

3. In regard to the 400 Doremus Avenue facility, during what years did the facility use the services of:

- a. Scientific Chemical Processing, Inc.
- b. Gaess Environmental Services
- c. D.V. Chemical Carting & Processing.

#### **221 Foundry Street Facility**

4. a. For the "physical blending or mixing of products" that occurred at the 221 Foundry Street facility, please provide specific information as to what materials were blended or mixed at the facility.

b. Please list the chemical components of the by-products, line flush, off-spec products, or other waste materials that were generated in this blending or mixing at the facility, with estimated quantities of these materials.

c. Please describe the method of disposal for each of these materials identified in b. above.

5. In regard to the 221 Foundry Street facility, during what years did the facility use the services of:

- a. Marisol, Inc.
- b. Chemical Waste Management Services of New Jersey

6. Please provide all information regarding pollution discharges from the 221 Foundry Street facility discovered during May, 1976 by Passaic Valley Sewerage Commissioners inspectors and include all actions taken to remedy and/or eliminate the discharges.

7. The attachments submitted in your February 20, 1995 response contained a Contingency Plan and Emergency Procedures for the facility located at 221 Foundry Street. This Plan described the use of a neutralization pit in which waste acids or bases from inorganic drumming operations were collected, neutralized and pumped into the sanitary sewer.

Please answer the following:

a. Identify the waste acids or bases that were collected/generated from this drumming operation.

b. Provide an estimate of the amounts of waste acid or bases that were neutralized in the neutralization pit per week.

c. Were the inorganic compounds in this waste separated out or pretreated before being pumped into the sanitary sewer?

#### **Both Facilities**

8. Please provide a detailed description of any civil, criminal or administrative proceedings issued against your company for violations of any local, State or federal laws or regulations relating to water pollution or hazardous waste generation, storage, transport or disposal relating to the 221 Foundry Street or 400 Doremus Avenue facility.

9. Please identify, by name and last known address, the facility plant manager for the 221 Foundry Street facility and the 400 Doremus Avenue facility, as well as the person who was directly responsible for the processing, treatment and/or disposal of hazardous wastes, during the years of operation of each facility.

10. Please identify by name and last known address any former employees of the 221 Foundry Street or the 400 Doremus Avenue facility, who were contacted in formulating a response to these questions. Please indicate the facility at which each person worked.

ATTACHMENT B

INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

1. A complete separate response must be made to each individual question in this "Request for Information".
2. Precede each answer with the number of the question to which it is addressed.
3. In preparing your response to each question, consult with all current or former employees and agents of your company who may be familiar with the matter to which the question pertains.
4. Interpret "and" as well as "or" to include within the scope of the question as much information as possible. If two interpretations of a question are possible, use the one that provides more information.
5. If you are unable to give a detailed and complete answer or to provide any of the information or documents requested, indicate the reasons for your inability to do so.
6. If you have reason to believe that an individual other than one employed by your company may be able to provide additional details or documentation in response to any question, state that person's name, last known address, phone number and the reasons for your belief.
7. For each document produced in response to this "Request for Information", indicate on the document, or in some other reasonable manner, the number of the question to which it applies.
8. If anything is deleted from a document produced in response to this "Request for Information", state the reason for, and the subject matter of, the deletion.
9. Provide all documents that relate to each question. If a document is requested but is not available, state the reason for its unavailability. In addition, to the best of your ability, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
10. As used herein "relate to" or "relating to" means constituting, defining, containing, embodying, reflecting, identifying, stating, referring to, dealing with, or in any way pertaining to. "Document" as used herein means any recording of information in tangible form, including memoranda, handwritten notes, invoices, checks, manifests, tape recordings, computer databases, or any tangible or physical objects however produced or reproduced upon which words or other information "are affixed

or recorded or from which by appropriate transcription written matter or a tangible thing may be produced.

11. Whenever in this "Request for Information" there is a request to identify a person or an entity other than a person, state the person or entity's full name, last known employment, present or last known home address, and telephone number.

12. As used herein, the term "facility," "hazardous substance," "person," and "release" shall have the meaning set forth in Section 101(9), (14), (21) and (22) of CERCLA, 42 U.S.C. §9601(9), (14), (21), and (22), respectively.

13. In answering these questions, every source of information to which you have access should be consulted, regardless of whether the source is in your immediate possession or control. All documents or other information, including records of all types of manufacturing, treatment, transportation or disposal operations, in your possession or in the possession of the Corporation should be consulted. If you do not have access to certain information and/or documents, state the nature of this information and/or documents, and indicate in whose possession they can be found.



UNITED STATES POSTAL SERVICE

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First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Lance Richman  
US EPA - Region II  
ERRD/NJSB II  
290 Broadway - 19th Floor  
New York, NY 10007-1866



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Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

**3. Article Addressed to:**

Mr. David J. D'Antoni, President  
Ashland Chemical Company  
P.O. Box 2219  
Columbus, OH 43216

**4a. Article Number**

EC400431721US

**4b. Service Type**

- |   |                                    |
|---|------------------------------------|
| <input type="checkbox"/> Registered                     | <input type="checkbox"/> Certified |
| <input checked="" type="checkbox"/> Express Mail        | <input type="checkbox"/> Insured   |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD       |

**7. Date of Delivery**

NOV 15 1995

**5. Received By: (Print Name)**

**6. Signature: (Addressee or Agent)**

X B. BOVER

**8. Addressee's Address (Only if requested and fee is paid)**

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

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